

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ZACHERIAH PAUL SIEK,

Defendant.

CR 22–61–BLG–DLC

ORDER

Before the Court is United States Magistrate Judge Timothy J. Cavan’s Findings & Recommendation Regarding Revocation of Supervised Release. (Doc. 78.) Because neither party objected, they are not entitled to *de novo* review. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). Therefore, the Court reviews the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge Cavan found, based on Defendant’s admissions at the hearing, that Defendant violated six conditions of supervised release: the special condition that

he participate in substance abuse treatment (Special Condition 4); the special condition that he not purchase, possess, use, distribute, or administer marijuana (Special Condition 5); the special condition that he abstain from the consumption of alcohol (Special Condition 2); the special condition that he participate in substance abuse testing (Special Condition 3); the standard condition that he work full time at a lawful type of employment (Standard Condition 7); and the mandatory condition that he not commit another federal, state, or local crime (Mandatory Condition 1). (Doc. 78 at 6–8.)

Judge Cavan recommends that this Court revoke Defendant’s supervised release and sentence him to six (6) months custody, followed by no term of supervised release. (*Id.* at 8.)

The Court finds no clear error in Judge Cavan’s Findings and Recommendation and adopts them in full.

Accordingly, IT IS ORDERED that Judge Cavan’s Findings and Recommendation (Doc. 78) is ADOPTED in full.

Defendant shall be sentenced in conformity with Judge Cavan’s recommendation in the judgment filed concurrently with this Order.

DATED this 15th day of May, 2025.

  
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Dana L. Christensen, District Judge  
United States District Court